IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5961 of 2005

Between:

G. Syam Rao Goud, S/o. G. Neelakanta Goud,
R/o. 6-86, Lingampalli, R.R.District.

..... PETITIONER

AND

1 Revenue Divisional Officer, Chevella Division, R.R.District.
2 The Assistant Supply Officer, Circle No. III, Saroornagar, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more in the nature of writ of certiorari to cal for the records of the respondents in proceedings. No.E/5944/2005 dated 16.3.2005 and quash the same and pass such other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.V.H.V.R.R.SWAMY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

ORAL ORDER:

Heard both sides. Perused the material placed before me.

Challenging the proceedings of the first respondent in suspending his authorisation as a fair price shop dealer, pending enquiry, the petitioner filed the present writ petition.

However, it is to be noticed that a statutory appeal under the Control Order 2001 is undisputedly available to the petitioner to challenge the impugned proceedings.

But the learned counsel for the petitioner, Mr.Swamy, vehemently contends that the first respondent has not at all issued any show cause notice to the petitioner before resorting to suspend the authorisation of the petitioner as such.

Having regard to the facts and circumstances of the case, the writ petition is disposed of at the stage of admission with liberty being given to the petitioner to approach the appellate authority, within two weeks from the date of receipt of a copy of this order, seeking redressal. It is further made clear that the petitioner is also at liberty to file an application seeking interim orders and upon any such application being filed by the petitioner, seeking any interim relief, the appellate authority shall consider it and pass orders as deemed fit with utmost expedition. Till such time, the impugned order dated 16-3-2005 passed by the first respondent shall not be given effect to. No costs.

23-03-2005

Note:

Operative portion of the

Order may be given on

Wire at party's cost.

B/0

KVSN

To

1 Revenue Divisional Officer, Chevella Division, R.R.District.

2 The Assistant Supply Officer, Circle No. III, Saroornagar, R.R.District.

3 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

4 Two CD copies.